

18-CIV-108 FRIES, MARY KAY et al VS SAFECO INSURANCE COMPANY OF INDIANA JRI

- Case Type:
- CIVIL
- Case Status:
- Open
- File Date:
- 11/02/2018
- DCM Track:
-
- Action:
- OTHER CIVIL
- Status Date:
- 11/02/2018
- Case Judge:
- INGRAHAM, JEFFREY R.
- Next Event:
-

All Information

Party

Docket

Financial

Receipt

Party Information

FRIES, MARY KAY

- Plaintiff

-
- DOB
-
-
- Address
- 1149 E LIVINGSTON ST
- CELINA, OH 45822

Alias

Party Attorney

- Attorney
- WILSON, ERIC J
- Bar Code
- 0061185
- Address
- WILSON LAW
- P. O. Box 69
- 101 North Front Street
- St. Marys, OH 45885
- Phone
- (419)394-2323

NEW LIFE APOSTOLIC CHURCH OF CELINA OHIO

- Plaintiff

-
- DOB
-
-
- Address
- 231 GRAND LAKE ROAD

EXHIBIT A

CELINA, OH 45822

Alias**Party Attorney**

- Attorney
- WILSON, ERIC J
- Bar Code
- 0061185
- Address
- WILSON LAW
- P. O. Box 69
- 101 North Front Street
- St. Marys, OH 45885
- Phone
- (419)394-2323

PASTOR SIMON YOUNG

- Plaintiff

- - DOB
 - Address
 - 231 GRAND LAKE ROAD
 - CELINA, OH 45822

Alias

AKA YOUNG, SIMON

Party Attorney

- Attorney
- WILSON, ERIC J
- Bar Code
- 0061185
- Address
- WILSON LAW
- P. O. Box 69
- 101 North Front Street
- St. Marys, OH 45885
- Phone
- (419)394-2323

SAFECO INSURANCE COMPANY OF INDIANA

- Defendant

- - DOB
 - Address
 - CORPORATION SERVICE COMPANY
 - STATUTORY AGENT
 - 50 WEST BOARD ST SUITE 1330
 - COLUMBUS, OH 43215

Alias**Party Attorney****Docket Information**

<u>Date</u>	<u>Description</u>	<u>Docket Text</u>	<u>Amount Owed</u>	<u>Image Avail.</u>
11/02/2018			\$198.00	

<u>Date</u>	<u>Description</u>	<u>Docket Text</u>	<u>Amount Owed</u>	<u>Image Avail.</u>
	CIVIL DEPOSIT FILED.	CIVIL DEPOSIT FILED. Receipt: 52074 Date: 11/02/2018		
11/02/2018	CIVIL FILING FEE.	CIVIL FILING FEE. Receipt: 52074 Date: 11/02/2018	\$152.00	
11/02/2018	COMPLAINT FILED.	COMPLAINT FILED. (ERIC WILSON ATTORNEY FOR PLAINTIFFS) COPY ISSUED TO COURT.	\$25.00	Image
11/02/2018	UNDERTAKING (FOR DEPOSIT RECEIVED)	UNDERTAKING (FOR DEPOSIT RECEIVED)	\$2.00	
11/02/2018	ADDT'L CLERK COMPUTER FEE PURSUANT TO 2303.20 ORC	ADDT'L CLERK COMPUTER FEE PURSUANT TO 2303.20 ORC FOR UNDERTAKING	\$1.00	
11/05/2018	SUMMONS ISSUED TO THE SHERIFF OF	SUMMONS ISSUED BY CERTIFIED MAIL RETURN RECEIPTS REQUESTED UPON SAFECO INSURANCE COMPANY OF INDIAN CORPORATION SERVICE COMPANY STATUTORY AGENT 50 WEST BROAD ST SUITE 1330 COLUMBUS OH 43215 TOGETHER WITH COMPLAINT (JURY DEMAND ENDORSED HEREON) AND SUMMONS. SUMMONS FILED. RECEIPTS FILED	\$10.67	Image
11/05/2018	ADDT'L CLERK COMPUTER FEE PURSUANT TO 2303.20 ORC	ADDT'L CLERK COMPUTER FEE PURSUANT TO 2303.20 ORC FOR SUMMONS	\$1.00	
11/13/2018	RETURN RECEIPT FOR CERTIFIED MAIL RETURNED AND FILED. SERVICE OBTAINED	RETURN RECEIPT FOR CERTIFIED MAIL RETURNED AND FILED. SERVICE OBTAINED UPON SAFEVO INSURANCE COMPANY OF INDIANA CORPORATION SERVICE COMPANY STATUTORY AGENT 50 WEST BROAD ST SUITE 1330 COLUMBUS 43215 ON 11/7/18. (DEANNE E SCHAUSELL)	\$0.00	Image

Financial Summary

<u>Cost Type</u>	<u>Amount Owed</u>	<u>Amount Paid</u>	<u>Amount Adjusted</u>	<u>Amount Outstanding</u>
COST	\$191.67	\$152.00	\$0.00	\$39.67
Total	Total \$191.67	Total \$152.00	Total \$0.00	Total \$39.67

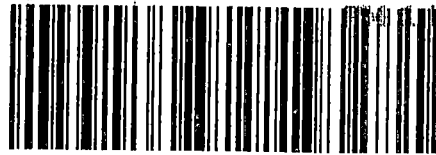
Receipts

<u>Receipt Number</u>	<u>Receipt Date</u>	<u>Received From</u>	<u>Payment Amount</u>
Total	Total	Total	Total \$350.00

<u>Receipt Number</u>	<u>Receipt Date</u>	<u>Received From</u>	<u>Payment Amount</u>
52074	11/02/2018	WILSON LAW	\$350.00
Total	Total	Total	Total
			\$350.00

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT
OF THE RETURN ADDRESS. FOLD AT DOTTED LINE

CERTIFIED MAIL®



9414 7266 9904 2119 6066 42

4321581470 C051



CALVIN W. FREEMAN

Mercer County Clerk of Courts

101 N. Main Street • Courthouse Room 205
P.O. Box 28
Celina, Ohio 45822-0028

NEOPOST

11/05/2018

US POSTAGE \$006.67



ZIP 45822
041M11273315

SAFECO INSURANCE COMPANY OF INDIANA
CORPORATION SERVICE COMPANY
STATUTORY AGENT
50 WEST BOARD ST SUITE 1330
COLUMBUS OH 43215

IN THE COMMON PLEAS COURT OF MERCER COUNTY, OHIO

MARY KAY FRIES
1149 E. Livingston St.
Celina, Oh 45822

and

NEW LIFE APOSTOLIC CHURCH OF
CELINA, OHIO,
231 Grand Lake Road,
Celina, Ohio 45822,

and

PASTOR SIMON YOUNG,
231 Grand Lake Road,
Celina, Ohio 45822,

Plaintiffs,

vs.

SAFECO INSURANCE COMPANY
OF INDIANA,
Corporation Service Company,
Statutory Agent,
50 West Broad St., Suite 1330,
Columbus, Ohio. 43215

Defendant.

CASE NO. 18-CIV-108

COMPLAINT

(JURY DEMAND
ENDORSED HEREON)

Sup. R. 37 Statistical Report
Classification A

FILED
11:02
NOV 02 2018

Richard L. Johnson
MERCER COUNTY CLERK OF COURTS
CELINA, OHIO

FACTS

1. On November 5, 2017, a tornado damaged property located at 1149 E. Livingston St., Celina, Ohio, which property is owned by Mary Kay Fries (hereafter Fries).

Mary Kay Fries, et al., v. Safeco Insurance Company of Indiana
Complaint
Case No. _____
Page 2 of 3

2. On November 5, 2017, a tornado damaged property located at 1149 E. Livingston St., Celina, Ohio, which property is owned by New Life Apostolic Church of Celina, Ohio (hereafter New Life Church).

3. On November 5, 2017, a tornado damaged property located at 1149 E. Livingston St., Celina, Ohio, which property is owned by Pastor Simon Young (hereafter Young).

CLAIM ONE

4. Plaintiffs re-allege paragraphs 1-3, as if fully rewritten herein.

5. Fries contracted with Safeco Insurance Company of Indiana (hereinafter Safeco) for insurance coverage, which covered the tornado damage on November 5, 2017. (Contract not attached do to its thickness).

6. The contract (Policy # OK6590776) with Safeco covered real and personal property.

7. Fries had property that was located at 231 Grand Lake Road, Celina, Ohio, that was covered by the terms of the contract.

7. Safeco has failed to comply with the terms of the contract in that it has not fully covered or compensated Fries for her damages from the tornado.

8. New Life Church had property that was located at 231 Grand Lake Road, Celina, Ohio, that was covered by the terms of the contract.

9. Safeco has failed to comply with the terms of the contract in that it has not fully covered or compensated New Life Church for its damages from the tornado.

10. Young had property that was located at 231 Grand Lake Road, Celina, Ohio, that was covered by the terms of the contract.

Mary Kay Fries, et al., v. Safeco Insurance Company of Indiana

Complaint

Case No. _____

Page 2 of 3

11. Safeco has failed to comply with the terms of the contract in that it has not fully covered or compensated Young for his damages from the tornado.

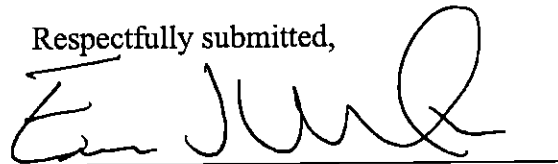
CLAIM TWO

12. Plaintiffs re-allege paragraphs 1-11, as if fully rewritten herein.

13. Safeco has acted in bad faith in adjusting the above claims.

WHEREFORE, plaintiffs pray for judgment against the defendants, jointly and severely, for compensatory damages in excess of \$25,000, plus interest and attorney fees; Punative damages, including reasonable attorney fees, in excess of \$25,000; and for such other relief as deemed necessary and proper; and their costs and expenses.

Respectfully submitted,



Eric J. Wilson, #0061185

Randy LaMarr Jr., #0096384

Attorneys for Plaintiffs

101 North Front Street

P.O. Box 69

St. Marys, Ohio, 45885-0069

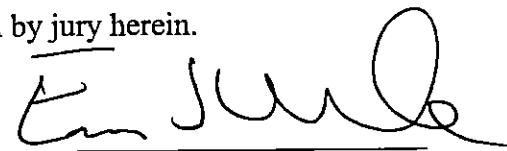
419-394-2323


FAX: 419-394-5755

Email: lwilsonlaw@bright.net

JURY DEMAND

Plaintiffs request trial by jury herein.



Return Receipt (Form 3800) Barcode		COMPLETE THIS SECTION ON DELIVERY	
 9590 9266 9904 2119 6066 45		A. Signature <input type="checkbox"/> Agent <input type="checkbox"/> Addressee <i>(Signature)</i>	
		B. Received by (Printed Name) C. Date of Delivery NOV 07 2018	
1. Article Addressed to: SAFECO INSURANCE COMPANY OF INDIANA CORPORATION SERVICE COMPANY STATUTORY AGENT 50 WEST BOARD ST SUITE 1330 COLUMBUS OH 43215		D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If YES, enter delivery address below: Corporation Service Company	
18-CIV-108 MARY KAY FRIES et al VS SAFECO INSURANCE COMPANY OF INDIANA Mercer Co. Common Pleas Court		3. Service Type: <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Certified Mail Restricted Delivery By Deanne E. Schausel Agent Reference Information	
2. Certified Mail (Form 3800) Article Number 9414 7266 9904 2119 6066 42		NOV 13 2018 MERCER COUNTY CLERK OF COURTS CELINA, OHIO	

The Court of Common Pleas, Mercer County, Celina, Ohio

*******SUMMONS*******

Rule 4 1970 Ohio Rules of Civil Procedure

18-CIV-108

MARY KAY FRIES et al
Plaintiff

VS

SAFECO INSURANCE COMPANY OF INDIANA
Defendant

To the above named defendant

SAFECO INSURANCE COMPANY OF
INDIANA
CORPORATION
SERVICE COMPANY
STATUTORY AGENT
50 WEST BOARD ST SUITE 1330
COLUMBUS OH 43215

You are hereby summoned that a complaint (a copy of which is hereto attached and made a part hereof) has been filed against you in this court by the plaintiff(s) named herein.

You are required to serve upon the plaintiff(s) attorney, a copy of your answer to the complaint within 28 days after service of this summons upon you, exclusive of the day of service. Said answer must be filed with this court within three days after service on Plaintiff's Attorney.

The name and address of the plaintiff(s) attorney is as follows:

ERIC J WILSON
WILSON LAW
P. O. Box 69
101 North Front Street
St. Marys OH 45885

If you fail to appear and defend, judgment by default will be taken against you for the relief demanded in the complaint.

CALVIN W. FREEMAN
Clerk of Courts

Date: November 5, 2018

By 
Deputy

FILED

NOV 05 2018

SAFECO INSURANCE COMPANY OF INDIANA
CORPORATION SERVICE COMPANY
STATUTORY AGENT
50 WEST BOARD ST SUITE 1330
COLUMBUS OH 43215

Certified Article Number

9414 7266 9904 2119 6066 42

SENDER'S RECORD



9590 9266 9904 2119 6066 45

U.S. Postal Service®
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

USPS® ARTICLE NUMBER

9414 7266 9904 2119 6066 42

Certified Mail Fee \$ 3.45

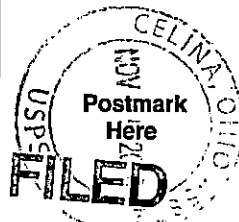
Return Receipt (Hardcopy) \$ 2.75

Return Receipt (Electronic) \$

Certified Mail Restricted Delivery \$

Postage \$ 0.47

Total Postage and Fees \$ 6.67



Sent to:

NOV 05 2018

SAFECO INSURANCE COMPANY OF INDIANA
CORPORATION SERVICE COMPANY
STATUTORY AGENT
50 WEST BOARD ST SUITE 1330
COLUMBUS OH 43215

Reference Information

18-CIV-108 MARY KAY FRIES et al VS SAFECO
INSURANCE COMPANY OF INDIANA

Mercer Co. Common Pleas Court 11/5/2018

PS Form 3800, Facsimile, July 2015

Case No. 18-CIV-108
COMPANY OF INDIANA

MARY KAY FRIES et al VS SAFECO INSURANCE

*****RETURN ON SUMMONS*****

Received this writ on the 2ND day of NOVEMBER, 2018, at 11:02 o'clock A, M., and on the 5TH day of NOVEMBER, 2018, I served the same on the within named by CERTIFIED MAIL
RETURN RECEIPTS REQUESTED.

POSTAGE: \$6.47*****
RETURN OF SUMMONS (PERSONAL)

I received this summons on _____ 20 _____, at _____ o'clock _____ M. and made personal service of it upon _____ by locating and tendering a copy of summons and accompanying documents, on _____, 20 _____.

FEES

Service \$ _____

Mileage _____

Total \$ _____

Sheriff, Bailiff, Process Server_____
By Deputy*****
RETURN OF SUMMONS (RESIDENCE)

I received this summons on _____ 20 _____, at _____ o'clock _____ M. and made residence service of it upon defendant(s) _____ by leaving, at usual place of residence with _____ a person of suitable age and discretion then residing therein, a copy of the summons, a copy of the complaint and accompanying documents, on _____, 20 _____.

FEES

Service \$ _____

Mileage _____

Total \$ _____

Date: _____

Sheriff, Bailiff, Process Server_____
By Deputy*****
RETURN OF SUMMONS (FAILURE OF SERVICE)

I received this summons on _____ 20 _____, at _____ M. with instructions to make personal-residence service upon the defendant(s) _____ and I was unable to serve a copy of the summons upon for the following reasons: _____ defendant(s) _____ by leaving, at usual place of residence with _____ a person of suitable age and discretion then residing therein, a copy of the summons, a copy of the complaint and accompanying documents, on _____, 20 _____.

FEES

Service \$ _____

Mileage _____

Total \$ _____

Date: _____

Sheriff, Bailiff, Process Server_____
By Deputy**FILED**

NOV 05 2018

Wendy J. Fries
MERCER COUNTY CLERK OF COURTS
CELINA, OHIO